

a tired-out feeling, rheumatic and neuritic pains, and general physical debility; that it would flush out thick, stagnant bile; that it would assist in the flushing of the kidneys; that it would make the digestive organs feel sweet and clean; that it was equal in virtue to quinine for fevers; that it would decrease the nauseating and griping effects of purgatives; and that it would cleanse the bowels gradually. The article would not be effective for those purposes.

**DISPOSITION:** August 21, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**1679. Misbranding of Nielsen Lactic Milk Whey and Nielsen Lactic Agar Whey. U. S. v. 55 Bottles of Nielsen Lactic Milk Whey and 20 Bottles of Nielsen Lactic Agar Whey, and 5,000 circulars. Consent decree of condemnation and destruction. (F. D. C. No. 16039. Sample Nos. 26451-H, 26452-H.)**

**LIBEL FILED:** On or about April 23, 1945, District of Colorado.

**ALLEGED SHIPMENT:** By the Nielsen Laboratories, Inc., from Elyria, Ohio. The drugs were shipped on or about January 9 and March 1, 1945, and the circulars were shipped on or about December 1, 1944.

**PRODUCT:** 55 bottles of *Nielsen Lactic Milk Whey*, 20 bottles of *Nielsen Lactic Agar Whey*, and 5,000 circulars at Denver, Colo. Various circulars were entitled: "Nielsen Health Products \* \* \* Diabetes [or "Constipation," "Colitis," "Gastric Ulcers," "High Blood Pressure," "Dyspepsia & Gastritis," "Rheumatism & Arthritis," or "Hyperacidity & Dyspepsia"]." Other circulars were entitled: "Nielsen Lactic Milk Whey Aids Digestion," "Nielsen Lactic Milk Whey," "Nielsen Lactic Agar Whey," and "The pH In Colon Therapy."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements in the circular entitled "The pH in Colon Therapy" were false and misleading since they represented and suggested and created the impression that the *Milk Whey* would be effective in the treatment of constipation, in replacing *Bacillus acidophilus* therapy inducing an acid colon, and in ridding the intestinal tract of harmful bacteria, whereas the article would not be effective for such purposes.

Further misbranding, Section 502 (a), certain statements in the other circulars accompanying the articles were false and misleading since they created the impression that the *Milk Whey* and the *Agar Whey*, alone or in combination, would be effective in aiding digestion, in eliminating body poisons, and in promoting and maintaining good health; that they would be effective in retarding fermentation, gas production, and the formation of harmful bacteria or toxic poisons in the intestines; that they would be effective in the treatment of constipation, diabetes, colitis, gastric ulcers, high blood pressure or arteriosclerosis, low blood pressure, dyspepsia, indigestion, gastritis, rheumatism, arthritis, hyperacidity or acid stomach, diarrhea, and dysentery; and that they would act on the underlying causes of constipation and would rid the intestinal tract of harmful bacteria. The articles, alone or in combination, would not be effective for such purposes.

Further misbranding, Section 502 (a), the designation of the product, "Lactic Agar Whey for Constipation," was misleading since the article depended upon mineral oil for its laxative action.

**DISPOSITION:** June 25, 1945. The Nielsen Laboratories, Inc., having consented to the entry of a decree, judgment of condemnation was entered and the products, including the circulars, were ordered destroyed.

**1680. Misbranding of Schrage's Medicine. U. S. v. 66 Packages of Schrage's Medicine. Default decree of condemnation and destruction. (F. D. C. No. 15293. Sample No. 96922-F.)**

**LIBEL FILED:** February 22, 1945, Eastern District of Louisiana.

**ALLEGED SHIPMENT:** On or about May 4, 1944, by the Frank Schrage Laboratories, Chicago, Ill.

**PRODUCT:** 66 packages, each package containing a bottle of a liquid preparation and an envelope containing pills. Analysis showed that the liquid consisted essentially of sodium salicylate, potassium iodide, sugar, alcohol, water, and extracts of plant drugs, including a laxative drug. The pills consisted essentially of mercury and laxative plant drugs.

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements on the bottle labels, envelopes, and in an accompanying circular, were false and misleading since they represented and suggested that the liquid medicine would